



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/677,291 Confirmation No. : 9636
First Named Inventor : Kouji HARADA
Filed : October 3, 2003
TC/A.U. : 1725
Examiner : L.R. Edmondson

Docket No. : 056208.52811US
Customer No. : 23911

Title : Method of Bonding Metallic Members by Plastic-Flow
Bonding and Plastic-Flow Bonded Body

PETITION TO WITHDRAW FINALITY OF REJECTION

Mail Stop AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions pursuant to 37 CFR § 1.181 to withdraw the finality of the rejection made in the Office Action mailed March 6, 2006, and to direct entry of the amendments made in the Reply filed on August 7, 2006, which included a verified translation of the Japanese priority application. The undersigned verifies that the attached copy of the postcard receipt showing the submission of said translation is a true copy.

Good cause exists for the granting of this petition. In said Office Action, the Examiner affirmatively indicated on form PTOL-326 that the action was non-final. Thus, this is not a situation where the Examiner left both boxes 2a) and 2b) unchecked. Although page 6 of the Office Action does state that the action is final, this merely creates an ambiguity caused by the Office and therefore chargeable to the Office. Applicant should not be penalized for this error.

To avoid abandonment of this application, a Request for Continued Examination is filed herewith. Applicant requests that no action be taken on this case by the Examiner prior to a decision upon the petition unless that action is to voluntarily withdraw the finality. Upon granting of this petition, or voluntary withdrawal by the Examiner, however, applicant requests a refund of that fee as well as the additional extension of time fee.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056208.52811US).

Respectfully submitted,

September 6, 2006



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